

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

IN THE MARION COUNTY CIRCUIT COURT

AVC NO. 99 AVC 098

IN RE: DELUXE AUTOS, INC.,)

Respondent.)

FILED

DEC 02 1999

ASSURANCE OF VOLUNTARY COMPLIANCE

James M. Taylor
CLERK OF THE
MARION COUNTY CIRCUIT COURT

The State of Indiana, by Attorney General Jeffrey A. Modisett and Deputy Attorney General Mary Ann Wehmuller, and Respondent, Deluxe Autos, Inc., enter into this Assurance of Voluntary Compliance (Assurance), pursuant to Indiana Code §24-5-0.5-7.

It is acknowledged that violation of this Assurance constitutes prima facie evidence of a deceptive act as defined by Ind. Code §24-5-0.5-3. This Assurance is entered into without any adjudication of any issue of fact or law herein, and upon consent of the parties hereto.

It is hereby agreed that:

1. Respondent, Deluxe Autos, Inc., is a corporation with a principal place of business in Marion County located at 4599 Allisonville Road, Indianapolis, IN 46205.

At all relevant times, Respondent has engaged in consumer transactions with Indiana consumers.

2. The terms of this Assurance apply to and are binding upon Respondent, its employees, agents, representatives and assigns.

3. Respondent acknowledges the jurisdiction of the Consumer Protection Division of the Office of the Attorney General to investigate matters hereinafter

described, pursuant to the authority of Ind. Code §4-6-9-4 and Ind. Code §24-5-0.5-1 *et seq.*

4. Respondent will refrain from making and shall not make, cause to be made, or permit to be made, expressly or by implication, any representation, orally or in writing, regarding its ability to deliver certificates of title for motor vehicles to vehicle purchasers unless Respondent actually intends to provide and, in fact, provides purchasers with motor vehicle certificates of title as represented.

5. Respondent will refrain from making and shall not make, cause to be made, or permit to be made, expressly or by implication, any representation, orally or in writing, regarding its ability to deliver certificates of title for motor vehicles within a stated or reasonable time frame, unless Respondent actually intends to provide and, in fact, provides purchasers with motor vehicle titles within the time frame represented.

6. Respondent will refrain from making and shall not make, cause to be made, or permit to be made, expressly or by implication, any representation, orally or in writing, that the sale of a motor vehicle includes warranties, rights and/ remedies, when Respondent knows or should reasonably know the sale does not include the warranties, rights and/or remedies represented.

7. Respondent will immediately comply with all provisions of Ind. Code §9-17-3-3, including but not limited to:

- a. endorsing the certificate of title for a vehicle which is sold or has ownership transferred by Respondent;
- b. delivering the endorsed certificate of title to the purchaser or transferee at the time of sale or delivery;

c. if the conditions under Ind. Code §9-17-3-3(a)(4)(A-D) are met, delivering the endorsed certificate of title to the purchaser or transferee within twenty-one (21) days after the date of sale.

8. Respondent will immediately comply with all provisions of Ind. Code §9-18-26-10 and 140 IAC 3.5-2-15, including but not limited to, issuing no more than one interim license plate to a motor vehicle purchaser.

9. Upon execution of this Assurance, Respondent shall pay Five Hundred Dollars (\$500.00) to the Office of the Attorney General for its costs of investigation.

10. This Assurance does not constitute an approval by the Attorney General of any of Respondent's past or future business practices, and Respondent shall not make any representations to the contrary.

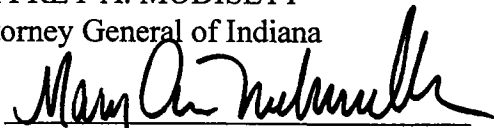
11. Respondent agrees to cooperate with the Office of the Attorney General in the resolution of any future written complaints the Consumer Protection Division receives.

12. The Office of the Attorney General shall file this Assurance with the Circuit Court of Marion County.

STATE OF INDIANA

JEFFREY A. MODISSETT
Attorney General of Indiana

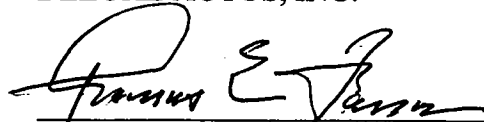
By



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RESPONDENT

DELUXE AUTOS, INC.

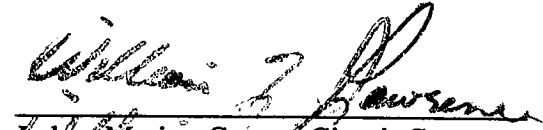


(name)

President, Deluxe Autos

(title)

APPROVED AND ORDERED, this _____ day of DEC 02 1999, 1999.



Judge, Marion County Circuit Court

maw:31208